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3 4 Attorneys for USACM Liquidating Trust

5 **UNITED STATES BANKRUPTCY COURT**  
 6 **DISTRICT OF NEVADA**

7 In re:

8 USA COMMERCIAL MORTGAGE COMPANY,  
 9 USA CAPITAL REALTY ADVISORS, LLC,  
 10 USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
 LLC,

11 USA CAPITAL FIRST TRUST DEED FUND, LLC,

12 USA SECURITIES, LLC,

13 Debtors.

14 **Affects:**

- 15  All Debtors
- 16  USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR  
 Case No. BK-S-06-10726-LBR  
 Case No. BK-S-06-10727-LBR  
 Case No. BK-S-06-10728-LBR  
 Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under  
 Case No. BK-S-06-10725 LBR

**Objection Of The USACM Liquidating Trust  
 To Marcia C. & Henry Albiol's Claims  
 Asserting Secured Status**

Hearing Date: October 15, 2007  
 Hearing Time: 9:30 a.m.

19 Marcia C. & Henry Albiol filed Proof of Claim Nos. 10725-02537, 10725-02538,  
 20 and 10725-02539 against USA Commercial Mortgage Company ("USACM"). The Proof  
 21 of Claim asserts a secured claim. The USACM Liquidating Trust (the "USACM Trust")  
 hereby objects to Marcia C. & Henry Albiol's assertion that the claim is secured by a valid  
 23 lien on USACM property and moves this Court, pursuant to 11 U.S.C. § 502 and Rule  
 24 3007 of the Federal Rules of Bankruptcy Procedure, for an order reclassifying Claim Nos.  
 25 10725-02537, 10725-02538, and 10725-02539 as general unsecured claims. The USACM  
 26 Trust is not, by this filing, objecting at this time to any of the claims as unsecured claims

1 or on grounds that the claims were untimely filed, but reserves the right to do so. The  
2 basis for this Objection is fully explained in the USACM Liquidating Trust's Motion for  
3 Summary Judgment Regarding (1) Responses to the USACM Trust's First through Thirty-  
4 Third Omnibus Objections to Claims Asserting a Secured Status; (2) Responses to the  
5 USACM Trust's First through Third Omnibus Objections to Claims Asserting a Priority  
6 Status; And (3) Newly Alleged Secured And Priority Claims (the "Motion"), filed today.  
7 The USACM Trust will serve a copy of the Motion with this objection.

8 Dated: July 30, 2007.  
9

10 **LEWIS AND ROCA LLP**

11 By: /s/ RC (#6593)

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